

JS-6

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES – GENERAL

Case No. SACV 10-00483-CJC(RNBx)

Date: December 17, 2010

Title: GERALD A. HUTCHINSON v. J.P. MORGAN CHASE BANK ET AL.

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PRESENT:

**HONORABLE CORMAC J. CARNEY, UNITED STATES DISTRICT JUDGE**

Michelle Urie  
Deputy Clerk

N/A  
Court Reporter

ATTORNEYS PRESENT FOR PLAINTIFF: ATTORNEYS PRESENT FOR DEFENDANT:

None Present

None Present

**PROCEEDINGS: (IN CHAMBERS) ORDER REMANDING CASE TO STATE COURT**

The Court has received and considered the parties' responses to the Court's September 16, 2010 Order to Show Cause. These responses confirm that Plaintiff has amended his Complaint to allege only state law causes of action and the amount in controversy does not exceed \$75,000. The Court may decline to exercise supplemental jurisdiction in cases in which the federal claim is eliminated early in the litigation and only state law claims remain. 28 U.S.C. § 1367(c)(3); *United Mine Workers of America v. Gibbs*, 383 U.S. 715, 726 (1966). As the Ninth Circuit has noted, "[i]n the usual case in which federal law claims are eliminated before trial, the balance of factors will point toward declining to exercise jurisdiction over the remaining state law claims." *Reynolds v. County of San Diego*, 84 F.3d 1162, 1171 (9th Cir. 1996), *overruled on other grounds by Acri v. Varian Assocs., Inc.*, 114 F.3d 999 (9th Cir. 1997). Accordingly, the Court declines to exercise supplemental jurisdiction over Plaintiff's remaining state law claims and hereby REMANDS this action to state court.

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